



# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

St. Louis University School of Medicine  
Attn: Dr. Thomas J. Chambers  
Dept. of Molecular Microbiology  
1402 South Grand Blvd.  
St. Louis, MO 63104

Deposited on Behalf of: Oravax Inc.

Identification Reference by Depositor:

ATCC Designation

Chimeric Yellow Fever 17D/Dengue Type 2 Virus, YF/DEN-2  
Chimeric Yellow Fever 17D/Japanese encephalitis SA-14-14-2 Virus,  
YF/JE A1.3

VR-2593

VR-2594

The deposits were accompanied by:      a scientific description X a proposed taxonomic description indicated above. The deposits were received January 6, 1998 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: X We will not inform you of requests for the strains.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested February 18, 1998. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: February 20, 1998

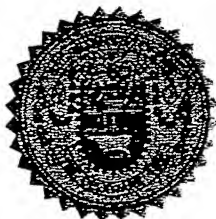
cc: Clark & Elbing, LLP (Ref. Docket 06132/033002)

# Delaware

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*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ORAVAX, INC.", CHANGING ITS NAME FROM "ORAVAX, INC." TO "ACAMBIS INC.", FILED IN THIS OFFICE ON THE FOURTH DAY OF DECEMBER, A.D. 2000, AT 1 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2228638 8100

AUTHENTICATION: 3317817

040623814

DATE: 08-26-04

CERTIFICATE OF AMENDMENT  
OF  
THIRD AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
ORAVAX, INC.

Pursuant to Section 242 of the General  
Corporation Law of the State of Delaware

OraVax, Inc. (hereinafter called the "Corporation"), a corporation existing under and by virtue of the General Corporation Law of the State of Delaware (the "Delaware Law"), does hereby certify that (a) by a Unanimous Written Consent of Directors dated November 27, 2000, the Board of Directors duly adopted resolutions pursuant to Section 242 of the Delaware Law proposing a certain amendment to the Third Amended and Restated Certificate of Incorporation of the Corporation and declaring said amendment to be advisable; and (b) that in lieu of a meeting and vote of the stockholders, the sole stockholder of the Corporation has given its written consent to said amendment in accordance with the provisions of Section 228 of the Delaware Law.

Pursuant to the foregoing resolutions:

Article FIRST of the Corporation's Third Amended and Restated Certificate of Incorporation hereby is amended to change the name of the Corporation from OraVax, Inc. to Acambis Inc. so that said Article FIRST shall be and read as follows:

FIRST:      The name of the Corporation is Acambis Inc.

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 01:00 PM 12/04/2000  
001604313 - 2228638

IN WITNESS WHEREOF, said Corporation has caused this Certificate to be signed by  
its President this 29 day of November, 2000.

ORAVAX, INC.

By:



John Brown  
President